

### **Remarks**

The present Amendment and Response is fully responsive to the Non-Final Office Action dated January 5, 2009. By the present Amendment, Claims 1 has been amended and new Claims 39-40 have been added. Accordingly, Claims 1-28 and 30-40 remain pending in the present application. Applicants respectfully submit that no new matter has been added by the foregoing amendments. Reconsideration and allowance of the application is requested.

### **Interview Summary**

Applicants would like to thank Examiners Borlinghaus and Kramer for the telephonic Examiner's Interview that was conducted on April 2, 2009. During the Interview, the present application was discussed in light of the pending rejections under 35 U.S.C. § 103 based on Marcous (U.S. Patent No. 5,650,604) in view of Risafi (U.S. Patent No. 6,473,500), and Marcous in view of Risafi and Jalili (U.S. Patent No. 6,209,104). In particular, Applicants pointed out several unique features of the invention, including the use of both transaction identifying information and a confirmation code in the claimed money receive transaction. Examiners Borlinghaus and Kramer suggested adding a clarifying amendment to differentiate the transaction identifying information and the confirmation code to further distinguish over Risafi. As provided herein, Applicants have amended Claim 1 in a manner as discussed during the Interview. In addition, Applicants have added new independent Claim 37, which similarly distinguishes the money transfer receive transaction information of the invention over the resetting of a prepaid card account PIN allegedly taught by Risafi.

### **Rejections Under 35 U.S.C. §103**

In the Non-Final Office Action, Claims 1, 6-9, 10, 15, 20-27 and 30-38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Marcous in view of Risafi. Claims 2-5, 11-14, 16-19 and 28 were similarly rejected under 35 U.S.C. §103(a) as being unpatentable over Marcous and Risafi, as applied to Claims 1 and 10, and further in view of Jalili (U.S. Patent No. 6,209,104). In the present rejection, Marcous is asserted as the primary reference allegedly

teaching each claim limitation of the pending independent claims other than the steps of "providing a confirmation code, to be issued to the recipient, if the transaction identity information matches the transaction data stored on the host computer system," and then using the confirmation code as input for future dispensing of funds. The Examiner asserts that Risafi provides the missing teaching of Marcous, and then combines the two references in the rejection of the claims.

Risafi is directed to the issuance and use of prepaid cards. The text of Risafi cited in the Office Action as providing the missing teaching merely describes a card user selecting a PIN at the time the prepaid card is purchased and then changing the PIN after the card has been activated. In Risafi, the card user selects a PIN at the point of sale when purchasing the card, and the PIN is sent to a processing center where it is stored for use in future transactions. Likewise, the user can change the PIN once the card is activated. It appears to be the position of the Examiner that the resetting of one PIN as taught in Risafi is essentially the same as presenting transaction identifying information and receiving a confirmation code, as recited in the pending claims.

While the Applicants disagree with the broad interpretation and application of Risafi in the present rejections, particularly as combined with Marcous, in an effort to facilitate the allowance of the present application Claim 1 has been amended herein in the manner suggested by the Examiners to recite "wherein the transaction identifying information is not operable at a dispensing terminal." Thus, where an old PIN and a new PIN associated with a prepaid card account in Risafi are both operable at the same terminals (e.g., businesses with a relationship with the card issuer), the transaction identifying information of Claim 1 is not operable for use in dispensing funds from the same dispensing terminals as the confirmation code. Thus, the resetting of a PIN in Risafi does not teach or render obvious the presentation of transaction identifying information in exchange for a confirmation code, where the confirmation code can be used to receive the transferred funds at dispensing terminals where the transaction identifying information is not operable.

With respect to independent Claim 20, Applicant respectfully submit that, as currently pending, Claim 20 is distinguishable over the present combination because it recites "providing...an identification number and a confirmation code...if the transaction identifying information matches the transaction data stored on the host computer system." (Emphasis added.) As compared to Risafi and Marcous that merely suggests the resetting of a PIN, in Claim 20 the recipient is provided both (1) an identification number and (2) a confirmation code when the transaction identifying information matches that stored at the host computer. Risafi and Marcous taken alone or in combination fail to teach or suggest the issuance of two separate codes when the first code matches. In particular, Risafi teaches resetting one code for another equivalent code, which teaches away from the exchange of the transaction identifying information for two separate codes.

For at least these reasons, it is respectfully asserted that independent Claims 1 and 20 are allowable over the present rejections, and therefore, are in condition for allowance. Additionally, it is respectfully submitted that dependent Claims 2-19, 21-28 and 31-38 are allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features.

#### Allowability of New Claims 39 and 40

New independent Claim 39 is substantially similar to original Claim 1 with the added limitation of "loading payout funds into a payout account associated with the confirmation code in response to the transaction identifying information matches the transaction data stored on the host computer." This distinguishes over the present combination of Marcous and Risafi as neither reference teaches or suggests moving funds when the transaction identifying information presented by the recipient matches that stored at the host computer system, much less moving the funds into a new account associated with a new code (i.e., the confirmation code in Claim 39).

Lastly, Claim 40 further defines the confirmation code as being generated by the host computer, which is materially different from Risafi and Marcous where the PINs/codes are selected by the cardholder/sender. This feature is unique to the claimed money transfer receive

transaction, and is not replicated in the prior art where the only time that a PIN presumably is changed, as in Risafi, is at the direction of the card holder. There is no reason the user of a debit card to changed the PIN when the new PIN is to be generated by a host computer. Thus, the prior art essentially teaches away from this feature recited in new Claim 40.

Accordingly, the Applicants respectfully submit that new Claims 39 and 40 are patentable over the present rejections, and are in a condition for allowance.

**Conclusion**

The Applicant believes that each matter raised by the Office Action has been responded to. Allowance of the claims is respectfully solicited. It is not believed that any extensions of time or fees for addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029

If there are any issues which can be resolved by telephone conference or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

/Malvern U. Griffin, III/

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Date: April 6, 2009

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Attorney Docket No.: **26466-0045**